

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

Cullan and Cullan LLC,
on behalf of itself and
all others similarly situated,

Plaintiff,

v.

m-Qube, Inc., *et al.*,

Defendants.

Case No. 8:13-cv-00172

Honorable Thomas D. Thalken

**PLAINTIFF’S MOTION FOR LEAVE TO FILE REPLY IN SUPPORT
OF MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION
SETTLEMENT AGREEMENT WITH DEFENDANT CF ENTERPRISES PTY., LTD.**

Plaintiff Cullan and Cullan LLC (“Plaintiff”), individually and on behalf of all others similarly situated, by and through undersigned counsel, hereby requests leave to file a reply brief on or before February 5, 2016, in support of its motion for preliminary approval of class action settlement agreement with defendant CF Enterprises Pty., Ltd. (“CFE”).

1. On December 21, 2015, Plaintiff filed its motion for preliminary approval of class action settlement agreement between Plaintiff and CFE (the “CFE Settlement”). D.E. #165. That same day, Plaintiff also filed a motion for preliminary approval of a class action settlement agreement between Plaintiff and Defendants Post SMS. Co. Americas, Inc., formerly known as Mobile Messenger Americas, Inc., and Post SMS Co. Qube, Inc., formerly known as m-Qube, Inc. (the “Mobile Messenger Settlement”). D.E. #167.

2. On January 14, 2016, Intervenor Geier filed a 23-page opposition to Plaintiff’s motion for preliminary approval of the CFE Settlement and Plaintiff’s motion for preliminary approval of the Mobile Messenger Settlement. D.E. #169. Geier also filed an Index of over 200 pages with his opposition. D.E. #170.

3. Plaintiff requests leave to file a reply brief on or before February 5, 2016, to address Geier's assertions regarding the CFE Settlement.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter an order granting Plaintiff leave to file a reply brief in support of its motion for preliminary approval of the CFE Settlement on or before February 5, 2016, and entering any such other relief as the Court deems just and appropriate.

Dated: January 15, 2016

Attorneys for plaintiff Cullan and Cullan LLC

/s/ Ben Barnow

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Certificate of Service

The undersigned hereby certifies a true and correct copy of the foregoing was served via filing with the Court's e-filing service, on this 15th day of January 2016.

/s/ Ben Barnow